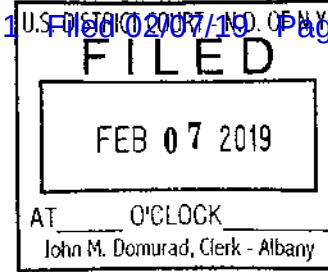


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

<i>Brittany Kicher</i>	Plaintiff(s)
vs.)
<i>New York State Police</i>	Defendant(s)



1:19-cv-157
MAD/TWD
CIVIL
RIGHTS
COMPLAINT
PURSUANT TO
42 U.S.C. § 1983

Plaintiff(s) demand(s) a trial by: JURY COURT (Select only one).

Plaintiff(s) in the above-captioned action, allege(s) as follows:

JURISDICTION

1. This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is brought pursuant to 42 U.S.C. § 1983. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1333(3) and (4) and 2201.

PARTIES

2. Plaintiff: Brittany Kicher
- Address: 1618 Columbia Turnpike
Castleton on the Hudson NY 12033

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: New York State Police
- Official Position: —
- Address: CAFA Coordinator
Office of the Attorney General
28 Liberty Street 15th Floor
New York NY 10005

b. Defendant: _____

Official Position: _____

Address: _____

c. Defendant: _____

Official Position: _____

Address: _____

Additional Defendants may be added on a separate sheet of paper.

4.

FACTS

Set forth the facts of your case which substantiate your claim of violation of your civil and/or Constitutional rights. List the events in the order they happened, naming defendants involved, dates and places.

Note: You must include allegations of wrongful conduct as to EACH and EVERY defendant in your complaint. (You may use additional sheets as necessary).

On July 15th, 2018: My friends and I were the victims of being rear-ended in a car accident. The trooper came to our car, yelled profanities and told our driver to get out of the car. I began recording. The trooper told me to put my phone down, then assaulted me and had me placed in handcuffs.

7-15-18 to present; The New York State Police have failed to hold the trooper accountable, nor arrest her.

5.

CAUSES OF ACTION

Note: You must clearly state each cause of action you assert in this lawsuit.

FIRST CAUSE OF ACTION

Excessive force; Fourth amendment:
Excessive force and unlawful imprisonment.
~~I suffered missed work, excessive bruising,~~
~~post-traumatic stress, hyperventilation and~~
~~defamed character as a result. The trooper~~
~~assaulted me.~~

SECOND CAUSE OF ACTION

Unlawful imprisonment; Fifth Amendment:
in a violation of due process, I was
yanked, aggressively out of the vehicle for
exercising my right to record, and, subsequently,
placed in handcuffs.

THIRD CAUSE OF ACTION

First Amendment: As a victim in
a car accident, the trooper addressed our
car with profanities. I began to record. The
trooper told me to put my phone down, and
assaulted me.

4th Cause of Action

Negligence: As a victim in a car
accident, I asked for
medical attention. The trooper
laughed.

6. PRAYER FOR RELIEF

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

\$50,000 and the trooper to
be arrested for Assault.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 2-7-19

Beth Miller
Signature of Plaintiff(s)
(all Plaintiffs must sign)

02/2010